

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

<b>JOHN A. PINO,</b>	:	
<b>Plaintiff</b>	:	<b>CIVIL ACTION NO. 3:15-1172</b>
<b>v.</b>	:	<b>(MANNION, D.J.) (CARLSON, M.J.)</b>
<b>MICHAEL CAREY, et al.,</b>	:	
<b>Defendants</b>	:	

**ORDER**

As set forth in the memorandum issued this same day, **IT IS HEREBY**

**ORDERED THAT:**

- (1) Judge Carlson's report and recommendation, (Doc. [69](#)), is **ADOPTED** in its entirety;
- (2) the motion for summary judgment of defendant Carey, (Doc. [41](#)), regarding the excessive force claim against him raised in the plaintiff's amended complaint, (Doc. [9](#)), is **GRANTED**;
- (3) plaintiff's objections to Judge Carlson's report, (Doc. 79), are **OVERRULED**;
- (4) the Clerk is directed to enter **JUDGMENT** in favor of defendant Carey, and against plaintiff Pino; and

(5) the Clerk is also directed to **CLOSE** this case.

s/ Malachy E. Mannion  
**MALACHY E. MANNION**  
United States District Judge

**Dated: December 8, 2017**

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